

Minutes
Air Pollution Control Board
Indiana Government Center South
Conference Room A
402 West Washington Street
Indianapolis, Indiana

November 1, 2006
1:03 p.m.

1. Dr. James Miner, Chairman, called the meeting to order. **CALL TO ORDER**
He noted that a quorum was present. **QUORUM**

2. Chairman Miner introduced the board members. **INTRODUCTION OF**
MEMBERS

Present: Dr. James Miner, Chairman
Mr. Kurt Anderson
Mr. John Bacone, Proxy, Department of Natural Resources
Mr. David Benshoof
Mr. Howard Cundiff, Proxy, State Board of Health
Ms. Pamela Fisher, Proxy, Indiana Economic Development Corp.
Mr. Chad Frahm, Proxy, Lt. Governor
Mr. Marlow Harmon
Mr. Chris Horn
Mr. Randy Staley
Dr. Phil Stevens

Also present were Ms. Kathy Watson, Air Programs Branch Chief. Others present are recorded on a separate sheet and made a part of this record. A court reporter was present and a transcript is available for review.

3. Ms. Watson gave a report on the latest Environmental **REPORTS**
Quality Service Council's (EQSC) meeting. During the
EQSC meeting Commissioner Thomas Easterly gave a
presentation on outdoor wood boilers and issues associated with them.
Ms. Watson stated that the Environmental Quality Service had directed IDEM not to go
forward with a rule until U.S. EPA issued a model rule for states.

4. Chairman Miner introduced the August 2, 2006, Air **MINUTES**
Pollution Control Board minutes.

Mr. Horn moved to adopt the August 2, 2006 Air Pollution Control Board's minutes. Mr. Cundiff seconded. The motion passed unanimously.

5. Chairman Miner introduced Exhibit 1-A, the proposed rule as preliminarily adopted with IDEM's suggested changes, and Exhibit 1-B, the proposed rule as preliminarily adopted, into the record of the hearing.

Ms. Susan Bem, Rulewriter, stated that due to requests by U.S. Steel, IDEM had proposed at preliminary adoption to exclude some U.S. Steel units that were in the NOx SIP Call trading program from the Clean Air Interstate Rule (CAIR) ozone season trading program. Instead of being regulated by CAIR, these units would have been subject to 326 IAC 10-3, which is not a trading rule, but a rule that contains specific NOx emission limits for boilers. U.S. EPA commented to IDEM that the applicability provisions of the CAIR ozone season trading rule may be expanded to include non-EGU's only if all non-EGU's that are currently subject to the NOx SIP Call Rule are included. So therefore, for final adoption, IDEM proposed to include U.S. Steel non-EGU units in the CAIR ozone season trading rule. IDEM has amended the language to reflect this change, and has added 786 tons, the amount of allowances that U.S. Steel had in the NOx SIP Call trading rule, back into the budget for the CAIR NOx ozone season trading rule. Ms. Bem asked the board to final adopt the rule as presented.

**PUBLIC HEARING
FOR FINAL
ADOPTION OF NEW
RULES 326 IAC 24-1,
326 IAC 24-2, and 326
IAC 24-3 and
amendments to 326
IAC 10-3 and 326 IAC
10-4.**

**Clean Air Interstate
Rule.**

LSA#05-117

Ms. Janet McCabe, Improving Kids Environment, commented on the rulemaking and expressed support of the rule.

Mr. K. Anderson moved to final adopt amendments to new rules 326 IAC 24-1, 326 IAC 24-2, and 326 IAC 24-3 and amendments to 326 IAC 10-3 and 326 IAC 10-4. Mr. Horn seconded. The motioned carried unanimously.

Mr. Benshoof moved to final adopt new rules 326 IAC 24-1, 326 IAC 24-2, and 326 IAC 24-3 and amendments to 326 IAC 10-3 and 326 IAC 10-4 as preliminarily adopted. Mr. Bacone seconded. The motion passed unanimously 11-0.

6. Chairman Miner introduced Exhibit 2, the draft rule, into the recording of the hearing.

Ms. Christine Pedersen, Rulewriter, stated that the Clark and Floyd Motor Vehicle Inspection and Maintenance (I & M) program was initiated in 1984 in accordance with the Clean Air Act to meet the one-hour ozone national ambient air quality standard. The one-hour ozone standard has been replaced by the eight-hour ozone standard, requiring control measures to remain in place. However, monitoring data shows that Clark and Floyd Counties are now attaining the eight-hour standard, and air quality modeling shows that the area will maintain compliance with the standard even without the I & M program.

**PUBLIC HEARING
FOR PRELIMINARY
ADOPTION OF
AMENDMENTS TO
326 IAC 13-1.1-2, 326
IAC 13-1.1-3 and 326
IAC 13-1.1-10.**

**Elimination of the
Inspection and
Maintenance Program
in Clark and Floyd
Counties.**

LSA #06-284(APCB)

Ms. Pedersen stated that IDEM had submitted a petition to U.S. EPA requesting that Clark and Floyd Counties be redesignated to attainment for the eight-hour ozone standard. IDEM believes the area can remain in attainment without the I & M program because of other reductions that have been achieved. In 2003, the Indiana General Assembly passed an amendment that voids Indiana's I & M rule for Clark and Floyd counties as of December 31, 2006, and directs the Air Pollution Control Board to amend 326 IAC 13-1.1 to reflect this change unless the State Budget Agency approves the periodic vehicle inspection for these counties. Because the State Budget Agency had not approved such a program, the I & M program in Clark and Floyd Counties would terminate on December 31, 2006.

Ms. Pedersen requested that the board preliminarily adopt the amendments to the rule as presented.

Mr. K. Anderson moved to preliminarily adopt amendments to rules 326 IAC 13-1.1-2, 326 IAC 13-1.1-3 and 326 IAC 13-1.1-10. Mr. Harmon seconded. The motioned carried unanimously.

7. Chairman Miner announced that the next meeting was tentatively scheduled for Wednesday, December 6, 2006, 1:00 p.m, Indiana Government Center South, Indianapolis, Indiana in Conference Room A.

NEXT MEETING

8. Mr. Benshoof moved to adjourn the meeting. Mr. Bacone seconded. The vote was unanimous. Chairman Miner adjourned the meeting at 1:41 p.m.

ADJOURNMENT

James Miner, Chairman

These minutes were taken from the November 1, 2006, transcript, and were written on January 7, 2006, by Karol T. Chuma, Office of Air Quality.